

08-09-04

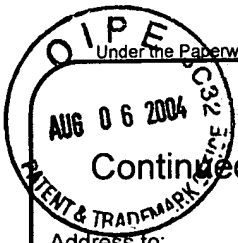
RCE ✓

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450

|                        |                 |
|------------------------|-----------------|
| Application Number     | 09/691,392      |
| Filing Date            | 17 October 2000 |
| First Named Inventor   | Katz, et al.    |
| Art Unit               | 3627            |
| Examiner Name          | McClellan, J.   |
| Attorney Docket Number | PAT-009C        |

IFW

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. \_\_\_\_\_

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

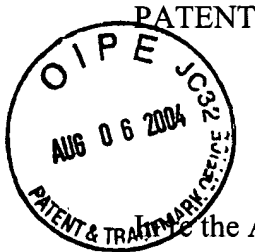
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                   |                                   |          |
|---|-------------------|-----------------------------------|----------|
| Name (Print/Type)                                   | Rocco L. Adornato | Registration No. (Attorney/Agent) | 40,480   |
| Signature   |                   | Date                              | 6 AUG 04 |

| CERTIFICATE OF MAILING OR TRANSMISSION   |                   |      |        |
|--|-------------------|------|--------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. |                   |      |        |
| Name (Print/Type)  | Michele Zarinelli | Date | 8-6-04 |
| Signature  |                   | Date | 8-6-04 |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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08/10/2004 SSITHIB1 00000123 09691392 770.00 DP 01 FC:1801



PATENT

PAT-009/C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Katz, et al.

Serial No.: 09/691,392

Filed: 17 October 2000

For: METHODS AND APPARATUS  
FOR INTELLIGENT SELECTION  
OF GOODS AND SERVICES IN  
TELEPHONIC AND  
ELECTRONIC COMMERCE

Group Art Unit: 3627

Examiner: McClellan, J.

Attorney Docket No.: PAT-009/C

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Box RCE  
PO Box 1450  
Alexandria, VA 22313-1450

Sir or Madam:

The applicants submit this Preliminary Amendment with a request for an RCE in the above-captioned application, along with a petition for a one-month extension of time. In reviewing the Advisory Action mailed by the Office on 6 July 2004, the applicants submit that box [B] should have been checked rather than box [A]. The Final Action was mailed on 9 March 2004, with the two-month date for a response falling on Sunday, 9 May 2004. The applicants mailed a Response After Final with a first class mailing certificate on Monday, 10 May 2004. See 37 CFR §1.7 and 1.8. Accordingly, the applicants submit that the period for response expired on 6 July 2004 with the mailing of the Advisory Action, and that this Preliminary Amendment and RCE is timely filed with a one-month extension of time.

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being sent via first class United States mail postage prepaid on the date shown below to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

8-6-2004  
Date of Deposit

Michele A. Zarinelli  
Michele A. Zarinelli

08/10/2004 SSITH181 00000123 09691392  
03 FC:1201 86.00 OP  
04 FC:1202 468.00 OP

If applicants are mistaken as to any of the above, please consider this paper as an authorization to charge any additional extension fees to Deposit Account 501880.